

House File 785

H-1247

1 Amend House File 785 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 99B.1, subsection 1, Code 2021, is
5 amended to read as follows:

6 1. "*Amusement concession*" means a game of skill or
7 game of chance with an instant win possibility where, if
8 the participant completes a task, the participant wins a
9 prize. "*Amusement concession*" includes but is not limited to
10 carnival-style games that are conducted by a person for profit.
11 "*Amusement concession*" does not include casino-style games,
12 nudge games, swap games, or amusement devices required to be
13 registered pursuant to [section 99B.53](#).

14 Sec. 2. Section 99B.1, Code 2021, is amended by adding the
15 following new subsections:

16 NEW SUBSECTION. 24A. "*Nudge game*" means any game or phase
17 of a game in which a participant spins reels or simulated reels
18 and may choose to nudge one or more reels in any direction to
19 complete a winning combination or pattern.

20 NEW SUBSECTION. 28. "*Swap game*" means any game or phase of
21 a game in which a participant spins reels or simulated reels
22 and may choose to swap, move, or substitute one or more icons
23 or symbols to create a winning combination or pattern.

24 Sec. 3. Section 99B.31, subsection 1, paragraph k, Code
25 2021, is amended to read as follows:

26 *k.* The amusement concession is not designed or adapted with
27 any control device to permit manipulation of the amusement
28 concession by the operator in order to prevent a ~~player~~
29 participant from winning or to predetermine who the winner will
30 be.

31 Sec. 4. Section 99B.31, Code 2021, is amended by adding the
32 following new subsection:

33 NEW SUBSECTION. 1A. An electronic or computerized game with
34 a video display screen may be licensed by the department as an
35 amusement concession if all of the following requirements are

1 met:

2 a. Except as otherwise provided by this subsection, the
3 game complies with all requirements of subsection 1 and all
4 applicable rules promulgated by the department.

5 b. The game is conducted through continuous gameplay. For
6 the purposes of this paragraph, "*continuous gameplay*" means play
7 on a single video screen that is not refreshed, updated, or
8 renewed through the expenditure of additional money, tokens, or
9 credits by a game participant. The game may allow two or more
10 persons to participate in the same continuous gameplay at the
11 same time.

12 c. Prizes shall be awarded based solely upon a participant's
13 successful completion of a required skill or task in the course
14 of the game's play. A person shall actively participate in
15 the game's play by directing or otherwise manipulating a game
16 function or operation in order to complete the required skill
17 or task. Participant skill shall be necessary to influence
18 the outcome of the game's play but is not required to be the
19 predominant factor in determining whether a prize is awarded.

20 d. The game is not a nudge game, swap game, or a mechanical
21 or electrical device that displays spinning reels or simulated
22 reels.

23 e. The game may be programmed to ensure a set payout
24 percentage to participants of at least eighty percent. If a
25 game is programmed with a set payout percentage, the operator
26 shall prominently post in a manner visible to all playing
27 positions the percentage applicable to the game's play.

28 f. The game may be programmed to award prizes by allowing a
29 player to complete tasks or use skills at variable frequency
30 or difficulty. The game may not be programmed to prevent the
31 completion of any advertised or offered skills or tasks.>

32 2. Title page, by striking lines 1 and 2 and inserting <An
33 Act relating to amusement concessions.>

BOSSMAN of Woodbury